7th August 1929] [Mr. K. Madhavan Nayar]

thing that is done or attempted to be done by non-official members, is this the sole object and function of the Chief Minister of this Council? He does not concern himself with legislation; he does not care whether the whole world goes to dogs, but he must continue to occupy that seat with the help of friends and allies honourable or traitorous."

* The hon. the PRESIDENT :—" The hon. Member will continue his speech on the next proper occasion. The Council will now adjourn for lunch and re-assemble at half past two."

(After Lunch—2-30 p m.)

VIII

ADJOURNMENT MOTION *re* GOVERNMENT SANCTION TO PROSECUTE MR. M. ANNAPURNAYYA.

* Mr. P. ANJANEYULU :—" Mr. President, Sir, I move—

'*That the business of this House do stand adjourned to discuss a definite matter of urgent public importance, to wit, the recent action of the Government in granting sanction to prosecute Mr. M. Annapurnayya (Editor of 'the Congress'), under sections* 124-*A and* 153, *Indian Penal Code.*'

" Sir, I thank you and the House for giving me an opportunity of bringing this matter to be discussed on the floor of this House. I know, Sir, the disadvantage of one who speaks on a matter like this, because it is very much limited in its scope, and from the way in which discussion took place yesterday, before you were pleased to give your permission to move this, I knew that it would be almost impossible for any one to be within the limitations prescribed by you yesterday. I hope and trust that with the limited capacity I have got I shall not transgress any of those limitations. My object in moving this motion is two-fold. One is to bring before this House and to the notice of the Government the feeling in the country; the other is to give an opportunity to the hon. the Law Member and the other Members of Government to fully and freely explain any policy there may be behind this particular action in granting sanction to prosecute Mr. Annapurnayya.

" Mr. Annapurnayya, Sir, is a young man, affable, frank, brave in his speech and bold in his behaviour. These are qualities which any civilized Government, I expect, would appreciate, qualities which they would ask their young men to foster, and cultivate. Especially the Madras Government which even with its bureaucratic traditions had recently given opportunities to this country to appreciate it in its exposition about the coming reforms, I thought, would equally appreciate such qualities and would be the last to launch a policy bordering on repression."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am reluctant to interfere, but is my friend at liberty to discuss the policy? I think you expressly overruled it yesterday."

[7th August 1929

* The hon. the PRESIDENT :—" He is only making preliminary remarks."

* Mr. P. ANJANEYULU :—" I am only stating in a general way that when an action like this is taken, there must be something behind the back of the Government. Generally, as we all know, in cases of sedition, when sanction for prosecution is granted, it is in the interests of the State or the country. That being the case—I am saying in a general way without going into the speeches of Annapurnayya or the particular speech which brought him into this trouble—I am simply saying that I expect that this Government would exert all its possible resources to see that when it prosecutes a man for sedition, for saying something which in their opinion is sedition, they had considered all the circumstances in favour of the man. I am constrained to say this for the reason that elsewhere no less a person than Sir Mitra prosecuted a person of such high standing as Mr. Ramananda Chatterjee for publishing a book which in other lands would have been valued as a treasure simply and read by every student of politics with avidity. And when questioned in the court of law, the hon. Gentleman had to admit that he never read the book himself but accorded sanction for prosecution. I trust that such things will not be said of the hon. the Law Member in this particular case. I trust that he at least has read the speech or the speeches for which this young man is being prosecuted. It is possible, and I have a shrewd suspicion, that the hon. the Law Member might have acted on belief or trust in reports of lower officers that it was a seditious speech, and in that way might have accorded his sanction. If it was otherwise, we shall be glad so far.

" But in an action like this, when only members following a particular political persuasion are being prosecuted or persecuted, it is up to every one of us to draw inferences which are not to the credit of the Government. The Government of Madras has had a reputation, we must admit, that it is very reluctant to launch on a policy of repression. In recent years, when other provinces are taking measures which are highly repressive, the Madras Government had so far curbed itself, though it might have caught the contagion from other provinces. I do not say that it did not go into error at all, but it tried to correct itself as early as possible.

" In this particular matter, this Annapurnayya has been the Editor of a paper called the *Congress*. He is a congressman and he has been a congressman. The policy of the Congress is very well known not only to this Government but all the world over. It is non-violent non-co-operation ; any element of violence is strictly eschewed from the policy of the Congress, and this Annapurnayya who is an ardent congressman and who belongs to that cult or political faith could not be suspected of any violent motives. And when an article is published or a speech delivered, if the Government should run after the man and incarcerate him, then the very purpose of all progress in politics will be defeated. I hope and trust that there must be something particularly bad in this particular case which prompted the Government to accord its sanction. Before such sanction is given, I take it, Sir, the Government is expected to see what effect it will have on the public at large. It is not because Mr. Annapurnayya said something or wrote something against the Government that he should be prosecuted. What effect that particular act of the Government will have on the province, is a most pertinent question which I desire to address myself to.

7th August 1929] [Mr. P. Anjaneyulu]

"I fear seeing that in many places it is only the Congressmen that are being pursued, that are being prosecuted, and that, at a time when it is expected that even the Government would lend its helping hand to the frank and free expression of political views without bringing them within the four walls of Indian Penal Code, it is unfortunate that this Government should have accorded this sanction. A great authority has said that the Government should always be very careful in granting sanction in matters like this and should not do it if their action is likely to create alarm in the democratic party and is calculated to retard for considerable time the progress of legitimate and democratic views. The hon. the Law Member was saying that a matter like this need not be considered by this House because there is a case pending in the court. So far as the action of the Government in granting sanction is concerned, I looked up some of the reports of the High Court, and 27 Madras (p. 54) says that Government when granting its sanction does not act in a judicial capacity in matters of this kind. Therefore on that score it cannot be called *sub judice*. As far as their actions are concerned, this House has every right to discuss them, and I thank you, Mr. President, for taking that view and allowing this motion to be discussed in this House.

"I should like to say one or two other words on this subject. There is a fear that, when Government takes action in matters like this, it is getting confused in its ideas and confuses political agitation with constructive treason. Political agitation, in all civilized countries is permissible, provided it is not violence or revolutionary activity. I hope and trust, Sir, that the Government has fully exercised its mind on this subject, and is not at all inclined to stifle all legitimate political agitation, especially at a time like the present one. If the country is to be thrown into alarm by prosecutions like this, there is no meaning and purpose in saying that we are on the eve of getting another large instalment of reforms. The Government ought to take into consideration not only the person concerned, but also the times we are passing through. We are at the dawn of a new era of political advancement in this country. At that time, it is possible for young and fresh minds which are full of enthusiasm for their country and full of patriotic spirit, sometimes to say things, which may be construed as bordering on sedition. Is it not right on the part of the Government to give a large margin for enthusiastic young men and not construe that simply because it is technically wrong, therefore it must be morally wrong? I hold that in cases like this the Government should take all these aspects of the question into consideration but should not easily come to the conclusion that this particular individual was also morally wrong. If mere agitation, mere freedom of speech, possibly in the heat of the moment, or mere writing possibly with a historic perspective, if everything like that is to be construed as sedition, I trust that at least one political party in the land, and every one belonging to that party must be prosecuted. All Congressmen must be prosecuted, for, one time or other, at the beach meetings, or in Congress conferences, or in other public meetings, they must have said things very much like those said by Mr. Annapurnayya. But unfortunately, I cannot go, and I shall not go into the speeches or the particular speech made by him as it is forbidden ground.

"I hope and trust that when the hon. the Law Member makes his speech he will tell us definitely that there is no such policy behind this action, and that 2-45 p.m. the Government do not intend to incarcerate a political party like this and that the Government are willing to hear us fully and frankly. Is it not to

[Mr. P. Anjaneyulu] [7th August 1929

the interest of Government also that we should frankly express our opinions, instead of allowing our displeasure at some of the actions of the bureaucratic Government to rankle in our minds? Sir, this sort of action is only an evil wind that blows nobody any good. If, on the other hand, the Government is strong, if the Government is righteous, if the Government is good, they must welcome all strong and good views and expressions. Our co-operation and our views are not welcomed by the Government, and that is why we have become non-co operators. If the Government want real co-operation, let them give us freedom of expression. Let them not be alarmed at every statement we make in a patriotic spirit. Let them not think that we are going to obstruct the whole administrative machinery. But if such a time comes, neither the Government nor the people can do anything to prevent its happening. We do not know what is in the womb of the future. The fate of our country is on the knees of the Gods. Are the speeches of Mr. Annapurnayya such that a big Government should hasten to grant sanction for prosecution? I hope that this particular action of the Government is not the beginning of a series of actions like this. But whatever the merits of the particular case may be, it is not merely the interest of Mr. Annapurnayya that is at stake. In this case a larger question is involved. And I am asking the Government whether this is a single solitary case where justice requires that sanction should be accorded or whether it is a test case and a forerunner of other sanctions and other prosecutions yet to come. At the same time, I may tell the Government, Sir, that no one on this side is afraid of prosecution or jail, provided we are able to lead our countrymen aright. Sir, I would ask the Government, through you, to see that when they launch prosecutions of this kind, to restrict the liberty of a citizen of this land all individual personal elements are eliminated. They are there to administer law and justice. Let them administer justice and law, lawfully and justly. Let there be no political prejudice behind any action. If we were there on the Treasury Bench and the hon. the Law Member here in the opposition, and supposing he says something about the tenants and janmis, would he expect us to prosecute him under section 153-A for creating class hatred between the tenants and janmis by putting his case as strongly as possible? Similarly, it may be that some Congressmen say things as emphatically as they can and write things as strongly as they can. Are you to take action against them all, by twisting the provisions of the Indian Penal Code? I submit respectfully that in that case no one belonging to the Congress party at least, will be safe in this Presidency. I hope and trust that the assent of this Government was given in this matter after carefully studying all the literature for which he was prosecuted. I suspect that the hon. the Law Member or those that are concerned in granting sanction may not have had opportunities of reading the particular speeches complained of. Possibly they must have read a translation of the speeches. Sir, we all know that translation always suffers either by exaggeration or by under-statement of the original. If they have not read the original and granted sanction as in Bengal, I trust that at least there will be no more cases like this. I appeal to Members of Government through you, Sir, again, not to be guided by personal prejudices in this matter. I request them to show some latitude to the spirit of the times instead of letting loose the sections of the Indian Penal Code on the people. After all these speeches are made in the interest of the country. Is not the hon. the Law Member an Indian Member? Does he not love his own country? Possibly in his mature age with his finished style he might say things and give

7th August 1929] [Mr. P. Anjaneyulu]

expression to his intentions in a polished manner which intentions when expressed by young men might appear less careful and therefore somewhat dangerous. It is not the language alone that should be taken into consideration in these cases. It is the spirit behind it that should be considered. Before the Government gives sanction in a case of this kind, they should see what is the spirit behind the speech complained of. They should ascertain whether it is love of country or treachery to the Government. These are matters which I am quite sure all the Members of Government should take into consideration. But yet, it is quite possible that they may not have done so, especially in a case like this when every one of the Members of the Government Benches is afraid that any speech might upset this Government. I hope and trust that this sort of alarmist views will not be taken by the Members of Government and that they will not alarm the people by unnecessarily giving sanction to prosecute young men for noble expressions of views, unless they are sure that such speeches are calculated to create disturbance of the peace.

"One word more. Although I am tempted to refer to the speech, I shall refrain from doing so. Let us admit for the sake of argument that this is a highly seditious speech. Let us also grant the Government Member read the original of the speech and properly understood it in spirit and in letter. Even then, what is the policy behind the act of this Government in granting sanction? Is it a general policy that a particular progressive political party's views should not be allowed to be heard in the country? Is it to retard, whatever progress is attained by that party? Or, is it merely an act against this individual Congressman? I request the hon. the Law Member, through you, to be pleased to give us a clear enunciation of his policy in granting such sanction. I shall not take more of the time of the House. I hope the Government will consider this motion in the spirit in which it is adumbrated. If the Government means business, then every act of theirs must be above board; they should not run in these young men but should show enough of latitude. I would even take the liberty of advising the Government through you, Sir, that they may even sin on the verge of latitude rather than run in people whose freedom of expression on political questions is unpleasant to them."

* Mr. G. Harisarvottama Rao :—" Mr. President, Sir, as I rise to second this motion, I do not for one moment feel that I should put in any special pleading either for myself or for Mr. Annapurnayya. Sir, in this year of Grace 1929, in this age of democracy, on this day when from every platform the official mind is being expressed in the direction of giving more responsibility to this country, I feel sure that in such an age as this, any civilized Government which had to care for its reputation would have thought thrice before it utilized its power of sanction to prosecute an individual under section 124-A. I want the hon. the Law Member to specially note the character of the section under which he is giving sanction. The history of 124-A is well known and the opinion expressed upon this section by eminent authorities is before the world. Every civilized man has had to hold that this section is one which is so wide in its application, so ambiguous in its interpretation and so exceedingly harmful to the interests of freedom that it has been held even by authorities convicting eminent personages that they had no option but to convict. I remember the memorable reference that the judge made in the case of Mahatmaji himself. He had no option. Mahatmaji was

such a great man, such a good man, such a good soul and such an ahimsic spirit and yet the convicting judge had no option left to him under section 124-A. This section was framed for use by the bureaucratic side of the Government in this land when the bureaucratic side was ruling the country and had no idea that they would ever have to hand over the reins of Government to the sons of the soil. The times have changed, and it will also be noted that in the history of the use of this section 124-A, there has been an evolution towards widening the interpretation thereof and towards restricting the powers of magistrates in dealing with it. All the same, it appears as though the judges even to-day are inclined to look upon this section as a very ordinary section which can be easily used. That is the impression created by judgments given in other parts of the country. When the Madras Government had to sanction this particular prosecution, I believe it was the duty of the hon. the Law Member who in addition to being the Law Member is an Indian with wide experience of dispensation of justice in this country and who was in the Opposition Benches, to have carefully considered the matter. This is a section which has been condemned by all patriotic sections in this country and by all right-thinking men in the world. I am surprised that he should have chosen to act in the manner in which he has acted and given sanction for prosecution under section 124-A knowing full well that this section has wrought a great deal of mischief in this country.

3 p.m. "It will be remembered that prosecutions took place under this section for very wonderful sentiments expressed. In my own case, I remember that for my saying that the autocratic British Government was drying up at the mere breath of Indian nationalism, I had to serve three years of imprisonment. The section was used and is used in a most pernicious manner. It is quite possible that out of zeal for the advancement of the country and also in consideration of the meagre nature of the reforms which the Government are going to grant to this country, that people might express opinions which are antagonistic to those of the Government. Therefore, it was up to the hon. the Law Member of the Government of Madras to have carefully considered this question, viz., whether or not he should have exercised his power in according sanction under section 124-A. My contention is that no civilized Law Member who deals with questions of affection and disaffection in this 20th century, in this period of democratic evolution, would have thought of utilizing section 124-A for sanctioning a prosecution. Then, Sir, what was the time at which the hon. the Law Member chose to give sanction? He knew perfectly well—I do not think that he is such a hole and corner man that he does not read anything beyond those papers that are on his table—what was going on in other parts of India and the policy of repression that was launched. He also knew that there was hue and cry against that policy of repression, and should he not have calculated, before giving his sanction for this particular prosecution, whether his action would not be open to the charge that he was likely to introduce repression in this part of the country? Did he for one moment consider this aspect of the question? Did he carefully consider whether he was right in sanctioning a prosecution of this sort at a time when the whole country was undergoing a trial in other parts of India and it was likely that his action would be misunderstood in this part of the country? We on this side of the House do feel that the Government—more especially the hon. the Law Member who till yesterday belonged to a party

7th August 1929] [Mr. G. Harisarvottama Rao]

which was in power and who to-day occupies the position of Law Member—attempted to support their own view of the Reforms in the coming constitution-making, and we feel that he had attempted to put a ban on free expression of views, however extreme those views might be. In a free country there must be room enough for free expression of views. If a man like Mr. Annapurnayya who admittedly to the knowledge of many of us is a fair, frank and a good man, to the knowledge of many of us is a man committed to the Congress creed of Ahimsa, if a man like him had to be prosecuted, was it not incumbent upon the hon. the Law Member to have considered for a moment whether this step would be considered a step in the right direction, and whether it would not be considered as a step in the direction of repressing altogether opinion which was unpalatable to his party and the Government? I fear for these reasons the step which the Government have taken is a step in a very wrong direction. To characterize it with the lowest possible indignation, I may say it is a very unwise step. Wisdom in Government counts for a great deal. It sometimes comes too late—my friends remind me—but nevertheless I should be glad if it comes at all. I feel that it is incumbent upon the hon. Law Member—because he is an Indian, because I believe that in his heart of hearts he must be feeling the iron rod of repression, because I feel that in his heart of hearts he must be aspiring for that freedom which every Indian truly aspires for,—that he must desist from applying section 124-A and withdraw the prosecution that has been launched."

* The hon. the PRESIDENT :—" I think I cannot allow the hon. Member to refer to that. He is at perfect liberty to comment upon the sanction that has been accorded."

* Mr. G. HARISARVOTTAMA RAO :—" I am sorry, Sir. I will not refer to it.

" Sir, let him rectify the mistake that has been committed. Of course we are prepared to face such a policy, and we are not in any way afraid of it. But what I submit is that he as an Indian will earn the everlasting gratitude of his countrymen by withdrawing this prosecution, and I dare say that his name will go down to posterity as a person who understood his own men properly and exercised his discretion in the right manner. I have no hesitation in thinking that my friends on all sides of this House will appreciate the point of view that this section 124-A must go, that this section has been long referred to as one that is put down mercilessly in the Indian Penal Code, and vote with us in order that the hon. the Law Member who per chance, by an oversight, by a mistake of judgment, has sanctioned the prosecution, might retrieve his position as an Indian and as one who was on our side at one time in the Opposition."

* Mr. C. RAMASOMAYAJULU :—" In supporting this motion, I may say clearly that it is not with a view that this sanction of prosecution should be revoked that we have tabled this motion, but it is due to a feeling created in the country that the Government are pursuing only one policy namely of repressing a particular political school of thought namely the Congress creed. It is that idea that has impelled us to table this motion. I say so, Sir, because that in recent days the Government have launched upon a policy of prosecution of persons belonging to one particular section in the country. I say this policy of the Government is most ill-advised.

[Mr. C. Ramasomayajulu] [7th August 1929

It is just possible during these active days of controversy, during days when the whole constitutional machinery is being overhauled, when revolutionary ideas are getting into men's minds and when new political parties are being formed, it is just possible to transgress section 124-A. After all, Mr. President, it is desirable that any political party in these days of political controversies should be given freedom for a full and free expression of their opinion, and I hope and trust that the hon. the Law Member will rise equal to the occasion and deal with the matter in a statesmanlike manner, because it lies in the discretion of the Government to sanction prosecution or not. This discretion has got to be exercised in view of the exigencies of the situation, in view of the changing circumstances in the country. As regards prosecutions under section 124-A, they have been going on in our country day after day and year after year. The question is whether in a country like ours it is possible to go on with our propaganda work strictly within the limits. Even Members of Government are not able to do it. Section 124-A is a provision which was included in the Penal Code when the several political parties that are contributing to the mental disturbance that now exists were not existing. Therefore, Sir, with these evolving factors before them, the Government ought not to sanction such prosecutions. That is the view I beg to submit, and it is with that particular object in view that this motion has been brought before this House. In these circumstances, the policy of 'let go' is absolutely necessary if the Government are anxious that there should be a free and full expression of opinion of the public belonging to different schools of political thought. My point is that Government ought to stop its hands and ought not to think of section 124-A. I may say that Government have got a special objective in matters of this sort, viz., of destroying a particular school of political thought. Nevertheless, I may assure the Government that this objective would never weigh with the other side. On the other hand, it would
3-15 p.m. increase reaction in the country and strengthen the very forces that the Government want to keep down. This policy of repression has never succeeded. It is a strange irony that the present hon. the Law Member happened to be a Congress Member himself. I saw him on the Congress platform once. I met him once when he was speaking in the Congress on the South African Question. He was a Member of the Congress party, and he cannot deny it now. In his younger days we were looking upon him as a staunch Congressman. As Mr. Harisarvottama Rao put it, to-day he may be the Law Member. All the same he is an Indian. He was in the Opposition Benches, he was a Congressman; to-day he is Law Member. But he was born an Indian and continues to be an Indian He is an Indian first and then anything else.

"Another point which I wish to bring home to him is this. If there are breaches of sections 124-A and 153-A, and if these speeches are likely to bring disturbance in the public life of the country, if the speeches are having a deleterious effect upon the public peace of the country, I can understand the Government granting sanction. Mr. Annapurnayya is a devoted disciple of Mahatma Gandhi who has for his creed the first article of non-violence. Is it pretended that in his case there will be breach of peace or disturbance of the public tranquillity? If the Government feel that these speeches will set one political party against another or that there will be breach of peace, I can understand the Government exercising discretion in favour of the grant of

7th August 1929] [Mr. C. Ramasomayajulu]

sanction. It is out of the question in a case of this sort, in the case of a dramatic production referring to the year 1857 published in a certain paper, perhaps in a particularly high class literary style. It is too much to expect that a sanction once given would be revoked. We wish to be assured that he would not take the ill-advised course of launching upon a course of prosecutions against a particular political party. I warn the Government. They are bound to remove the suspicion that they are making common cause with this or that political party in the country and that they are destroying this or that party. It is their duty to let people have their voice in the matter of the future of their country, to give them the right of free expression with regard to what they consider to be the best interests of the country. Let not the Government do such things as to make the people believe that they are against any political party. It is with that view that this motion is moved, and I support it."

* Mr. D. Thomas :—"Sir, I have listened very carefully to the eloquent and fervid arguments adduced in support of this motion by my hon. Friends sitting on the opposite benches, and I am sorry to say that no substantial reason which is worthy of acceptance has been urged by any of those hon. Members. Under the limitations under which we have to discuss this motion, we are not in a position to enter into the merits of the matter and consider whether the Government have granted the sanction on proper and substantial materials or not. On the other hand, we have to come round and round one proposition and bring in a number of considerations which, I think, are not absolutely relevant to the question. One of my hon. Friends has referred to the state of political agitation in this country. He even went so far as to say that revolutionary ideas are in the air. Far from this fact being an argument in favour of the motion, I think that that is a reason which goes the other way. Especially in this case when political evolution is in the air, when things are going so far as to be favourable for the inculcation of revolutionary ideas, I think it is the elementary duty of the Government to see that law is observed, that law is not transgressed, and that any transgression of law to whichever party the person transgressing may belong should be put down. Hon. Members on the opposite side seem to say 'Section 124-A is indeed on the statute book; but it must not be used.' Section 124-A makes speeches of certain character culpable under the law of the land. But still the Government should see that when such cases are reported to them and when prosecutions in such cases are recommended to them by their Law officers, they take no action thereon. I think that is a position which will not commend itself to any law-abiding citizen who is interested in the upkeep of law and order. I think that so long as section 124-A is on the statute book, the Government are committed to see that this section and other sections are utilized in proper cases. My hon. Friend, Mr. Harisarvottama Rao referred in very eloquent terms to the undesirability and backward character of the offences penalized under section 124-A. That is very well in its way. But then so long as the section is in the statute book, the Government should do their duty. In view of the fact that the country is in a state of political agitation, in view of the fact that new and radical changes in the constitution are being contemplated and according to the observation of one of my hon. Friends that even revolutionary ideas are in the air, all these circumstances go to show that the duty, the strong duty of the Government is to see that law is maintained, that

law is observed. I submit that one of the duties of all civilized Governments—the words 'civilized Governments' were used by so many of my hon. Friends—is to see that law is maintained, that no individual is greater than the law and that no individual by reason of his individual character or qualities or position is exempt from the operation of the punishments which he justly earns by a transgression of the law.

"One of my hon. Friends referred to the fact that the Government are sympathetic in their attitude towards reforms. That is all the more reason why the Government should, while sympathizing with the just and legitimate aspirations of the people, as in duty bound endeavour to maintain the observance of law and order.

"My hon. Friend, the Mover of the motion, referred to the individual and personal qualities of Mr. Annapurnayya. I believe the fact that he is a patriot, the fact that he is a young man, the fact that he possesses very many amiable qualities does not exempt him from the operation of section 124-A, if he has committed an offence against that section. My hon. Friend also said that he has not offended the law either in spirit or in intention. I think these questions of intention and spirit need not be considered by the Government. They can only take into consideration the fact that certain speeches prima facie of a seditious character have been made, and very probably those speeches have been reported to them as speeches containing seditious matter by their law officers. I am not sure on that matter. That is my impression. If, as I take it, the Government have consulted their law officers, and the law officers have expressed the opinion that the speeches are seditious they are in duty bound to order prosecution without caring as to which political party the person belongs."

3-30 p.m. * Mr. C. E. WOOD:—"Sir, it is only necessary for me to say very little because Mr. Thomas who has just spoken has expressed my sentiments fully and has probably expressed them very much better than I could do myself. The points which I think the Mover and the seconder of the motion tried to make were firstly that Government were pursuing a policy of oppression against one particular political party. If that argument is advanced, it should be developed further; otherwise it ceases to carry any weight. The speaker should prove his contention by pointing to cases in which persons of other political parties have transgressed the law and have not been dealt with. It is no argument to say that there is unjust treatment of one party because the other party is not being similarly treated. I consider that if the Congress Party subject themselves to this treatment it is entirely their own fault. As Mr. Thomas pointed out, the Mover of the motion also said that the person arrested was a nice fellow and therefore should not have been arrested. Such statement cannot carry any weight in this House; it has nothing to do with the question whether the Government was right or wrong in sanctioning the prosecution. Such pleading may be of benefit to the accused in a court of law; the judge may agree with it and deal leniently in consequence; but I imagine that in this case the accused's past record will be against him.

"It seems to me that there can be nothing more to be said on this debate; it is a question as to whether Government were in their rights or not in sanctioning the prosecution, and I hope the Law Member will be able to explain to the House whether his action was right or not. If the debate proceeds, it can only be because some hon. Members wish to make

7th August 1929] [Mr. C. E. Wood]

derogatory remarks generally about Government, quite apart from this case, and I am sure, Sir, you will not permit this to be done. I hope therefore that the hon. the Law Member will take an early opportunity of explaining Government's position."

* Mr. S. N. DORAI RAJA :—" Mr. President, Sir, I rise to oppose this motion for adjournment. Every act done by the Government unfortunately has the same effect on our Swarajist members as a red rag to a bull. It has become a habit, a very unpleasant habit with the Opposition to discuss in an adjournment motion on the floor of this House the actions of the Executive taken in the legitimate exercise of their functions and thus cause demoralization and discontent detrimental to the due discharge of their duties. Law is no respecter of persons. Any Government that does not see to their laws and regulations being respected is not fit to exist as such and is not worth the name of Government. Just to say that because this particular gentleman is prosecuted because of his political persuasion and attribute unworthy motives to the Government is not only becoming of an hon. Member of this House but vitiates the political atmosphere of this Presidency. It is for the court to decide whether the interpretation given to the speeches by the accused is correct or not and not for the Council to arrogate that power under the guise of a privilege of this House. It is unfair and unjust. It seems to me, Mr. President, that this adjournment motion is only another attempt to gauge the intentions of this Government as to how far it affects the electioneering tactics of the Opposition."

* Mr. K. V. R. SWAMI :—" Mr. President, Sir, it was really surprising to hear the two speeches made by Mr. Thomas and Mr. Dorai Raja. I am not surprised at the speech made by Mr. Wood ; I expected no other thing from him. He would not have been here, if he had not held such opinions. But I am very sorry for Mr. Thomas, an Indain gentleman who has been given good education, talking like that, without understanding the politics of either this country or any other country and saying that the law must be no respecter of persons and that it should be pursued with all rigour. That is a very real surprise to me. Of course he must have earned the encomiums of the European Members of this House. (Hear, hear.) I appreciate his qualifying himself for that, but he will not be a true son of India if he really feels what he says. He would not be allowed to talk like that in any country, even in England or in Ireland much less. What had happened in this case ? We know that Mr. Annapurnayya is a young man with culture and education which will not be any way behind the education received by any Member of this House including Mr. Thomas. What crime has he committed ? I wonder whether Mr. Thomas has gone into this question at all. No, the blessed Government has sanctioned his prosecution and that is sufficient for Mr. Thomas, and he says that the man must be condemned. He has not looked into the facts at all. What is the offence committed by this young man ? Would he have been prosecuted in any other country except in this unfortunate country of ours which is being ruled by the foreigner for the time being ? Two charges have been made against him ; one is that he sold some pictures and the other is that he published an article in his paper called. " The Congress ", and on these charges he has been prosecuted. Supposing the article is seditious . . ."

[7th August 1929

* The hon. the PRESIDENT :—" I do not think I will be justified in allowing the hon. Member to refer to the materials of the prosecution. He has entirely to confine himself to the circumstances under which the Government had to exercise its discretion in granting the sanction. I do not think he can be allowed to refer to any of the circumstances under which Mr. Annapurnayya was prosecuted."

* Mr. K. V. R. SWAMI :—" Sir, I grant that the article is seditious, I grant that to distribute the portraits of the heroes of 1857 is seditious. I also grant that the distribution of photographs of Rani Lakshmi Bai, a girl of 22 who fought and died so bravely in 1857 is seditious. Assuming all that, is that enough justification for sanctioning the prosecution ? Mr. Thomas says ' Yes, why should he not be prosecuted '. I take up the challenge. I ask this House, ' Is not every political speaker in this country committing the same offence under section 124-A ? If you are an honest Government, if you want to put a law into force, prosecute them all.' Then let us see what the fate of this Government will be. You have not the courage to do that ; you only pick up a man here and a man there and prosecute them. I admit and everybody admits that we should see that this policy of the Government is not the right policy, that the sooner it is ended the better. Either it should be mended, or it should be ended ; we are not asking, as the hon. Mr. Wood thought, that members of the other parties also should be prosecuted. We are not for prosecution of anybody whatsoever. So far as section 124-A is concerned—I do not know whether my Friend Mr. Thomas reads any paper at all—my hon. Friends will see that there are greater things going on in this country. Why do you trouble yourselves at this stage with 124-A ? There is revolution going on in the north, it may come to the south some day, and it may pick you up and eat you up. Change your form of Government or walk out. That is the challenge given by the young men of India. Of course, there may be here and there persons like my friend Mr. Thomas and a few others ; but that is not the question. The reason why this motion has been brought is this : just to find out how many more Thomases are here (laughter), to find out whether there is any unpatriotic man in this House who would vote against this motion. Let them go to the country and explain the position and tell the country that they were all for prosecutions of men like Mr. Annapurnayya. If he had cared to stand for election, if he had cared for this House, he would have been the first person to be elected. How is it that he does not care for all these things ? He wants a better form of Government in this country. He says that the present form of Government is a rotten one ; it only produces men who cringe before a foreign Government and ask for favours. It cannot produce brave men as in other countries. My Friend Mr. Thomas says that in any civilized country such men ought to be prosecuted. Does he know what happened in Ireland in 1913 ? The Home Rule Bill for Ireland was proposed by Mr. Lloyd George. Loyal Ulster men who have got greater respect for law than my Friend Mr. Thomas or anybody else here, drilled and trained men to oppose His Majesty's Government in case they granted Home Rule for Ireland. Such a great man as Sir Edward Carson was drilling men. For what purpose ? To dethrone His Majesty's Government by force of arms. What did the Government do ? What did the English Government do in this matter ? Was there any law prohibiting that kind of thing ? Yes, there was enough law in that country to prohibit it. There was the Treason and Felony Act, also the Unlawful

7th August 1929] [Mr. K. V. R. Swami]

Drilling Act of 1890 ; but all the same, Sir Edward Carson and others were not prosecuted at all. Why ? Why did the Englishmen have no respect for law in their own country ? Because they knew where it will lead to. Sir Edward Carson had actually got weapons and drilled men prepared to dethrone the Government established by law made by themselves, not any law made by any foreign Government ; and yet the Government did not prosecute him, they kept quiet. What did Nationalists do ? They drilled their own men to fight the Ulster volunteers. When they did not prosecute Sir Edward Carson, they could not prosecute the Irish nationalists. The Government knew that if they prosecuted those nationalists, there would be revolution in Ireland."

Mr. N. Siva Raj :—"On a point of information, Sir."

* The hon. the President :—"No information can be asked for now. The hon. Member will kindly resume his seat."

* Mr. K. V. R. Swami :—"Again, in 1916 there was rebellion in Dublin. In that rebellion, 124 soldiers, Englishmen, were killed and 385 men were wounded. What did the Government do ? The Government did prosecute certain persons, but within three years they had to release all of them. Why was that ? Was not the Englishman a respecter of law ? Yes, but the Government knew that if they had kept them in jail, their days would have been counted and that they would have to lay down their office in a few days. So, the best way was to release them. On so many occasions the English Government has done the same thing. From the year 1820 to 1916 there was not a single case of execution of anybody for high treason, although, according to the law of the country, anybody who was convicted of high treason could be given the extreme penalty and be executed. Yet, the Government of that country did not do it. During that period some men were, no doubt, convicted but soon after they were given free pardon. Some of them became hon. Members of the House of Commons. They ruled the 3-45
country, they made laws and became also Cabinet Members. My Friends here say that law is not a respecter of persons or parties. We do not seek for favours. We do not want to go before the Law Member and say that 'when you were a Congressman you were a good fellow, but why did you now prosecute Mr. Annapurnayya.' But we say, if you are an honest man and if you want to put the law into force, enforce it against all. If you are a brave man, don't choose one man here and another man there, put them in prison, give them no food, starve them and torture them. That is not the sort of thing you ought to do. We only want to test the Members of this House, and see how many of them are with us, and how many are against us. We do not want to seek favours. Even my hon. Friend the Law Member would feel like me if he were here, but unfortunately he does not feel like me on account of certain circumstances. So long as those circumstances exist, his feeling will be adverse to us. Perhaps it may be said that the reforms are coming, and so this atmosphere should calm. I do not believe even in that. The reforms may come or they may not come. The reforms may or may not be useful. Perhaps under the new regime, there may be greater conflagration after the present period. There may be freedom or there may be independence. Whatever might happen in future, that is a concern of ours ;

we are only discussing things as they exist now. We only say that if the Government are honest, let them put the law into force against us all and try their chance and not pick up a man here and another man there. With these few words, I support the motion."

* Mr. A. Kaleswara Rao :—" Mr. President, I congratulate the Government for having got a Daniel for judgment. We do not want to enter into the merits of the article of Mr. Annapurnayya published in the 'Congress'. Let it be seditious or let it not be seditious. Of course that is the question now before the court. The Government side says that it is seditious and that it transgresses section 124-A of the Indian Penal Code. On the other side, Mr. Annapurnayya says that only the historical fact was depicted. He never meant that violence should be used now by anybody. Of course, Mr. Annapurnayya is a non-violent man, and there is no question about that. He belongs to the Congress, and the creed of the Congress is avowedly non-violence, and no heads have been broken and no riot took place. No violence occurred anywhere. There was only some freedom of expression and some freedom of speech or some writing in a newspaper. The question now is whether this discretionary sanction for prosecution by the Government is justifiable or not. After all, laws exist, particularly laws like sections 124-A and 153 are discretionary. In every case they are not being put into force. That is why policemen would not arrest persons, the courts would not prosecute persons unless the matter goes up to the highest Government in the land which considers well and sanctions prosecution. We are now considering the policy underlying this sanction for prosecution. The Government of late has been pursuing a policy of repression which is insane and short-sighted. Of course, from the point of view of Government itself, there has been a regular conspiracy between the hon. the Home Member and the Law Member, and the police have been running amok and shadowing everybody, every congressman, every political worker and everybody who is likely to be a little active in these days of agitation and unrest. . ."

* The hon. the President :—" I request the hon. Member to leave that point and to go to the question at issue."

* Mr. A. Kaleswara Rao :—" This is only an act of this repressive policy that is being carried on by Government. It is to condemn that repressive policy and to say that the Government is following a mad policy, that repression will not pay, that repression in every country has failed, and that it will fail even in this country also, except that it will produce more and more agitation in the country and more and more unrest and that more and more of these young men will go out of our hands, that this motion is made. Thanks to Mahatma Gandhi. In spite of this repressive policy of the Government and in spite of its mad acts, the country has not gone to violence. It is not on account of the fear of the jails or the swords of the Government that the country is calm at this very juncture when there is so much agitation, but it is due to the preachings of non-violence and ahimsa of that great soul, the greatest man living on earth—Mahatma Gandhi. You must thank him really, otherwise the country would have gone out of your hands and even out of our hands, who believe in a policy of non-violence and ahimsa for achieving our Swaraj. We believe that the foreign Government is an unmixed evil. As civilized men, as men of all civilized countries like

7th August 1929] [Mr. A. Kaleswara Rao]

England, France, Germany, Poland and the United States, do, as civilized Indians, educated Indians, we all believe that the foreign Government is an unmixed evil. This foreign exploitation cannot go on for a long time, and therefore it must be put an end to, and we must get Swaraj. But if the British Government comes to peace with us, let us have dominion status, and if the British Government is stubborn and does not care for the aspirations of the people and on the other hand goes on with repression in this fashion . . ."

*The hon. the PRESIDENT :—" Order, order. I am afraid the hon. Member's remarks are not at all relevant to the present discussion."

* Mr. A. KALESWARA RAO :—" And if this repressive policy is continued, I am afraid, there will be revolt, and independence will be declared, and then the Government will have greater troubles. Therefore, instead of following this policy, it would be better for the Government if it is to continue in this country to go behind the unrest and to examine the causes of the unrest and recommend to Government in Great Britain to remove these causes and to give us dominion status at once. There is no use of prosecuting Mr. Annapurnayya . . ."

* The hon. the PRESIDENT :—" I think the hon. Member is giving a wrong turn to the whole debate."

* Mr. A. KALESWARA RAO :—" Let the Government take a warning. I condemn, we all condemn the policy. We are not sorry that members of our party are prosecuted. Of course we welcome that sort of thing. After all, it will be in the long run good for the country, though not good for the Government. It is very good for the development of nationalism quickly in the country. We do not believe in prosecuting anybody. When we get Swaraj and when we sit on the opposite benches, even then we do not believe in presecuting members of other parties including Mr. Wood for exploiting our country. Therefore, I submit, it is time for the Government to think well and to reverse its policy. I do not say that they can withdraw sanction that has been given, but at least they can withdraw the prosecution. It is not too late for them to do so. I therefore appeal to Government that it is time for them to withdraw the prosecution."

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I am rather at a loss to understand the mentality of my hon. Friend Mr. Thomas and other friends who oppose this motion. Now, if the law is to be respected and enforced, I am sure, the hon. the Law Member will also agree with me, that all those people who proposed the independence resolution at the Madras Congress and later on and all those who supported it will have to be prosecuted for sedition and inciting the people to revolt against the established Government. They will not be few, but they will come in hundreds and thousands and has the hon. the Law Member the courage to prosecute them? People nowadays talk openly that we must shake off the British allegiance and throw off the British Government, and that we must have independence. I am wondering why the Law Member has been sleeping without prosecuting them. When he was a Member on this side, I think he made speeches fostering a spirit of discontent among the tenants of Malabar which almost amounted to sedition. In any case it is not affection to the British Government but disaffection against the British Government as constituted at present and against the laws in

[Mr. J. A. Saldanha] [7th August 1929

Malabar that he then consciously or unconsciously roused among the tenant classes. He even went to the extent of threatening a French revolution in Malabar if the demands were not granted, while I myself threatened something like a Bolshevik revolution in the country if his Malabar Tenancy Bill was not passed.

"Then, take the report of the Simonite Committee, which has been signed by my hon. Friend Mr. Thomas. It does not breathe affection towards the British Government as constituted, but on the other hand there is much in it to arouse a lot of disaffection which can come under section 124-A of the Indian Penal Code if the law, defective as it is, is enforced. I do not know how he can claim immunity if he is prosecuted so far as this document is concerned. Now, Government single out a man here and another there for prosecution leaving out thousands of others. There would be really justice if Government prosecuted many more of the offenders among all parties not merely the Swaraj party. But I consider the present policy a real stupidity on the part of Government. It is the same stupidity of the British Cabinet and a Liberal Government that prosecuted men just on the eve of the revolution in Ireland. I forgot the name of that famous Mayor (I think his name was Mr. MacSwiney) who was prosecuted and imprisoned and who died on hunger strike. It was the prosecution of many such like Irish patriots that sounded the death-knell of the policy. What is the meaning of this sort of prosecution here and there? It is only causing unnecessary vexation all over the country. A prosecuted man becomes a martyr, who otherwise might have been unknown to many. As a matter of fact, very few had heard of the name of this gentleman, but there are thousands who know and admire him. So many Congressmen are prosecuted and convicted of sedition in these days and go in for hunger strike and become heroes like Mr. MacSwiney whose martyrdom brought about the practical exit of the British Government from Ireland. Mr. Tilak's prosecution made him a hero, and Mahatma Gandhi's prosecution brought in another hero, and so many other heroes are being created and put forward before us. This sort of repression must recoil on the British Government. I for one do not want at all the end of the British Government. On the other hand, I swear by the British Crown. But if you persist in following
4 p.m. this present repressive policy, I am sure it will accelerate the end of the British Empire in India. If my hon. Friend Sir Patro and his committee demand changes which the British Government at one time considered revolutionary, what is it due to but to the atmosphere created in the country by the Congressmen? If you have got the courage, you should prosecute all the Congressmen. I am sure, Sir, that if the policy of repression be persisted in, we may have to walk out once more, and preach to the country the boycott of Government. How many of us are you then going to prosecute? Are you going to check us by this policy? I am afraid if you persist in this policy, you will only be driving all the moderates among us into the fold of extremists. You are already driving out even the few people who are now with you and who are of moderate persuasion. And the day will come when you will have to repent it and repent seriously. Men who are sworn friends of the Empire, men who would stand by it, men who would support the British Empire like myself, men who would die for the Empire, it is they who are driven to the extremist camp. In the name of the people of this country, I utter this warning to you that by following this

7th August 1929] [Mr. J. A. Saldanha]

policy you are accelerating the disruption of the Empire, as you have seen it done in the case of Ireland. What is Ireland now for you, and what are your colonies to you? In Canada and South Africa, the British flag is hardly respected now. And as years go on, every colony will be practically independent."

The hon. the PRESIDENT :—" The hon. Member will please address the Chair. In a debate of this kind it is always safe to do so."

* Mr. J. A. SALDANHA :—" I have not much to say, Sir. In fact, I did not intend to take part in the debate on this occasion but the speech of my hon. Friend, Mr. Daniel Thomas, an Indian Christian, has made me rise to make these observations."

Mr. P. C. VENKATAPATHI RAJU :—" Mr. President, Sir, we are here this afternoon to discuss the action of the Government in sanctioning the prosecution of an honourable and honest worker in the country, Mr. Annapurnayya, a man who has got the courage of conviction and has expressed views which I take it are shared by every son of the country who loves his Motherland. The views he expressed were not the views either of the Government or of the country. Unfortunately, it was an occasion on which we were reminded of the plight to which the country is doomed by an unprepared, unready and unsystematized revolt of the country as that in the year 1857. Had it then succeeded, there would have been no occasion for celebration in this way. Mr. Annapurnayya reminded of the sad plight of the country on that occasion, and had the boldness to express views as I said already that are entertained and expressed by every son of the country who loves his Motherland. The Government in sanctioning the prosecution for expression of such views is not acting in the best interests even of the existing Government. No Government, even the most autocratic Government of Czarist Russia, was able to suppress the views which have been the result of the system of government. If they want to change the views prevailing, it is not by sanctioning such prosecutions but by changing the system of government. I know they can prevent to some extent the open expression of views. I have myself believed that the views of my hon. Friend, the hon. the Law Member are not different from those expressed either by Mr. Annapurnayya or any Member of this House. I cannot for a moment believe that there is no Indian who in his heart of hearts welcomes the foreign domination for ever, especially when it is carried on in the way in which it is being carried now. If my hon. Friend, Mr. Saldanha says that we are still for the British Government, I know he really means, as honourable partners thereof and not as co-operating in any way with the present form of government. I believe a leading vakil as my hon. Friend Mr. Thomas is, an expert in Indian Penal Code and the Code of Criminal Procedure, he has not taken into consideration the safeguards that are provided even by the framers of this infamous section relating to sanction for prosecution in the Penal Code. They do not say that every man, every expression of view that may be construed as sedition by an alien, bureaucratic foreign government should be prosecuted. They thought that there would be better sense, better discretion in the Government. Even though there may be expressions of sedition, they do not give the power to every policeman or a magistrate to take cognizance of this offence. What is the object? The object is that even though some views may be against the Government, the Government should consider whether in their own interests or in the interests

[Mr. P. C. Venkatapathi Raju] [7th August 1929

of the country that a prosecution should be launched for such expression of views which cannot be naturally suppressed from the minds of the people who are being brought from a high state of civilization to this unfortunate condition by foreign domination for a century. And the hon. Member Mr. Daniel Thomas thinks that simply because there is a provision in the Indian Penal Code, it is the bounden duty of the Government to prosecute every man. Laws are made, especially such sections in the Act, in the interests, I cannot say of good government or better government of the country but in the interests of the party that is being benefited by having a country like India under its domination. I am referring to the sections dealing with sedition and kindred offences. Such sections my hon. Friend Mr. Thomas wants to be put into operation against any and every one. I do not join with some of my hon. Friends in the complaint that these prosecutions are mainly directed to one political point of view. It is natural, and one must be glad to receive the brunt of the blow from the enemy's camp. Every one must be prepared to receive these blows, and I know the time will come when the other parties here will not grudge coming in a line with our party in the country, and I feel confident that the time will come when there will be one political party whose sole object will be to redeem this unfortunate country from foreign domination."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, my Friend Mr. Anjaneyulu was putting a series of questions to me and I shall now answer them. He wanted to know whether prosecutions like this are intended to be only against the members of the Congress party. I may tell him that the Government make no distinction between one party and another so far as prosecutions under section 124-A are concerned.

"Then, my hon. Friend asked whether it is the intention of the Government to repress political agitation in the country. I may tell him that it is not. My Friend then asked me whether the Government are against a frank expression of views on political questions. I may tell him that the Government are not. And then my hon. Friend wanted to know whether the Government got alarmed, in other words, I suppose what he meant to say was whether the Government were really panicky in according sanction to prosecute in this case. I may tell him that the Government were not panicky at all and that they were not alarmed. I may tell my hon. Friends, Mr. Anjaneyulu and Mr. Ramasomayajulu, who in their speeches constantly referred to the policy of the Government in according sanctions under section 124-A, that there is no policy at all and that each case will depend upon its own merits and, in the present case, the highest law officer and adviser on questions of law to the Government strongly expressed his opinion that the article for which this particular sanction was accorded was highly seditious."

* The hon. the PRESIDENT:—"I think the discussion should be confined to the conduct of the Government in granting the sanction, and I do not think it is advisable that Government should quote any opinions regarding the merits of the articles under adjudication. I think, in order not to prejudice the trial that is going on, that it would be best not to refer to the material that induced the Government to accord sanction, the political atmosphere and the considerations that weighed with the Government. The Government may say that in the individual case they took into consideration the political atmosphere

7th August 1929] [The President]

and other considerations and that they were satisfied. In order to prevent the prejudicing of the trial, I think it is desirable on the part of the Government as well as of the Opposition not to refer to the merits of the case."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" As a matter of fact, I entirely agree with you, and I consider it extremely unfortunate that in the interests of the accused person this motion has been tabled by my hon. Friend (Voices: 'Oh, oh'), so that I will not refer further to that aspect, and in fact I do not want to. 4-15 p.m.

" As I said, Sir, the Government have the best of reasons for granting sanction in this particular case for the prosecution of this particular gentleman. And, as a matter of fact, I go further and say that if in this particular case, having regard to the facts before the Government, the Government had not granted sanction to prosecute this particular person under section 124-A, the Government would have been wanting in their duty, and the Government would have grossly failed in their duty to themselves and to the people. And having regard to one particular circumstance which also was before the Government, namely, that this gentleman was already prosecuted for sedition under section 124-A and was sentenced to one year's rigorous imprisonment, the Government would be totally unfair to themselves and to the public if on the facts before them they had failed to grant sanction for this prosecution. I submit, Sir, the only question before this House now is, in the words of the adjournment motion, the recent action of the Government in granting sanction to prosecute Annapurnayya. I may state with considerable respect to what has been said by my hon. Friends from the other side, that most of what they said was irrelevant. They wandered to America, to Ireland and all over the world (A voice : 'To Malabar ?'), and to Malabar also, but they avoided the only question that could be legitimately discussed under this adjournment motion, namely, the action of the Government in granting sanction for prosecution in this case. That is the one point on which they did not speak. They referred to all other points and all other subjects. And especially, I submit that Government would not have been perfectly justified, in fact, if they had not granted sanction for this prosecution. I have nothing more to say, Sir."

Mr. SAMI VENKATACHALAM CHETTI :—" Mr. President, Sir, I rise to speak on this motion only with a view to answer one or two points raised by the hon. the Law Member. If anybody had misconceived the scope of this motion in spite of your reminders, it is the hon. the Law Member himself. (Hear, hear.) The Opposition was perfectly right in not referring to this individual case of prosecution but to the conduct of the Government in having prompted this prosecution. It was perfectly within its legitimate rights and in perfect consonance with the dictum that you have laid down in discussing this question to have referred to similar circumstances in other countries for the edification of the Government and the hon. the Law Member.

" Mr. President, the hon. the Law Member prefaced his speech by saying that in the matter of these prosecutions there was no question of party considerations and that the distribution of this generosity of prosecutions was fairly even amongst all parties. I challenge that statement, Sir, and point out to him that in his own regime here persons belonging to the Congress party who had been served with notices under section 144 were booked immediately under that section, while non-Congressmen who had been

similarly served with notices under section 144 were let off without being brought to court. (Hear, hear.) I would commend this particular action of the Government for the consideration of those European gentlemen who are sitting there and ask them to see whether the Government were right in showing this kind of discrimination as between parties and parties in not bringing certain persons belonging to other parties to book when they serve notices on them under section 144, while they would punish or bring to book Congress workers who have been similarly served. Sir, I am not surprised at the defence put forward by my hon. Friend Mr. Dorai Raja, Rajkumar. He said it was an unfortunate circumstance that every executive act of the Government should be condemned by the Opposition, and he felt the unfortunate circumstance in which the Opposition was placed in having to raise objections to executive actions from time to time. Well, Sir, I am afraid there are only two parties who are always unfortunate. One is the Opposition and the other is Mr. Dorai Raja, Rajkumar, himself. It is his unfortunate lot to defend every action of the Government (Hear, hear) and after all he earned his Kudos in doing that. And I suppose we are entitled to the same kind of Kudos from our constituencies for opposing every act of the executive of this nature.

" Sir, there is no use of repeating the arguments which have been advanced in advising the Government not to have launched this prosecution. It seems to me that the Government members are impervious to public opinion, that they take this debate in a very light-hearted fashion and in a spirit of levity. I do not know if the hon. the Law Member has realized that among those persons who have spoken in favour of the action of the Government there is not a single hon. Member from the party from which he has been sent to this Government, there is not one single member of the Justice party who went to the rescue of the hon. the Law Member in defending his action, the action of the Government. It was left to the representative of the Indian Christian community, Mr. Daniel Thomas and to the nominated gentleman, Mr. Dorai Raja, Rajkumar, to have defended the action of the hon. the Law Member. That, I submit, should serve as an indication that he has not got the support of even his own party in this connection. Sir, the hon. the Law Member said that there was no policy behind the Government in launching on these repressive prosecutions of political workers. May I remind him that this is not the first prosecution which has been launched under his regime? What about Mr. Sambamurti? And in answer to an interpellation put on the floor of this House, the hon. the Law Member had the hardihood to admit that Mr. Sambamurti was made to walk two miles, his own baggage being carried by himself. I should like the hon. the Law Member to forget for a moment that he is the Law Member and remember that he is a common individual and compare his own merits and demerits with those of Mr. Sambamurti, and I want to know whether it would lie in his mouth to have defended the action of the Government in compelling Mr. Sambamurti to carry his own luggage and walk a distance of two miles. Sir, whatever be the differences in our political views, we must respect the individuals holding opposite views. We must have respect for those who are sacrificing themselves for the cause they believe in. For some of us, our flesh is so weak that we do not put ourselves to sacrifices of that nature. But to such of those great men to whom it is given to sacrifice themselves on the altar of mother India we must show

7th August 1929] [Mr. Sami Venkatachalam Chetti]

our respect. And the one way of showing our respect is to treat them as gentlemen and not as convicts. They are suffering punishment not on account of any offences involving moral turpitude but on account of principles. To such men our greatest respect is due, and it is simply deplorable that during his short tenture of office as Law Member, his tenure should synchronize with a policy that is distasteful not only to the Opposition but also to the members of his own party who are so discreetly silent over this matter."

* Mr. S. SATYAMURTI :—" Sir, the tragedy of this Government is that they are able to get Indian supporters for the most extreme and reactionary steps they want to take. My hon. Friend the Law Member was a member of the Opposition for a very long period and has been translated to this high office only the other day. Already he has become such an adept in bureaucratic language that without the qualifications of a finished bureaucrat he imitates the manners of the bureaucracy which really reduces him to the position of impotence and ridicule. When this question is raised now, he gets up and says that the Government have the best of reasons. The Opposition asked him, what are those reasons? He smiles and passes on. That is because either the reasons do not exist or he does not know them, or it may be because he carries out his invisible masters' orders. Why does he not say what those reasons are? He says 'the best of reasons'. What are those reasons? He does not give any. He adds that if the Government had not given sanction the Government would have abdicated its functions. Does he take us all to be people wanting in intelligence? Does he take this House seriously? Does he simply think that if he merely says 'No' to every question asked and ends by saying that the Government have the best of reasons which he does not know and which he cannot disclose, he has made out a case for the Government? It seems to me, Mr. President, that the question raised by this motion is so important that the Government should have given some definite answer to it. I entirely agree with the sentiments expressed by my hon. Friend the Member for the City of Madras who spoke just before me, and I do challenge this Government and state that this Government have been using, especially after he became Law Member, the penal sections of the law of this country for supporting one party and fighting another party. I make that deliberate charge against him, and I ask him to lay his hand on his heart and say whether the Government has not pursued that policy.

" Then he says that each case is examined on its own merits. Now, Sir, what are the merits in this case which according to him justify the Government in giving sanction for this prosecution? He simply makes a statement, and passes off by saying, 'We have done so, and if we had not done so, we would not have done the proper thing'. This is a mere syllogism which would only impress boys who are carried away by words, but not serious men. By saying this, he merely exhibits the hollowness of his position and the spirit of irresponsibility in which he takes the duties of the high office which was thrust upon him almost without his knowing it.

" So far as the merits of this motion are concerned, Mr. President, this section 124-A is the 'prince of sections' as Mahatma Gandhi has called it. Lokamanya Tilak and others have been sentenced under it. But the scheme

of the whole Criminal Procedure Code is that with regard to certain specific offences it is not every member of the public that can set the machinery in motion for trial by courts of law ; it is not everybody who can set the courts of law in motion. It is reserved in some cases to the Government to decide whom they should prosecute, as it is reserved to certain persons in marital offences to take action or not against the culprits. It is so reserved, because the law-makers of this country even in those old primitive times considered that it would be a dangerous power in the hands of irresponsible people if every time the offence is committed the courts of law are set in motion. It was therefore reserved to the Government to give or not to give sanction. One of my hon. Friends asked the hon. the Law Member to state his policy in respect to this matter, and he said he had no policy in the matter, and he repeats it thrice, without even knowing the implications of that statement. This is the kind of statement, I often hear, from that Treasury Bench, a statement made with much complacency and satisfaction, 'I have no policy.' Then what are you there for ? Is it to act as the head clerk of the office of the Government ? Are you put in that responsible position drawing Rs. 5,333–5–4 a month to sign the orders of your Secretary ? What are you there for if you have no policy ? I think you must be ashamed to make a statement like that.

"Then, Sir, I want to make one point. This is a transitional stage, and even the Madras Government say that they are for provincial autonomy. And what happens when full provincial autonomy comes into force, when seven or eight Members will be Ministers ? To attack them will be the only occupation of a serious opposition. Our constant attempt will be to bring them into hatred and contempt before the people, to use the words of this section. Otherwise, how can we criticise them and displace them ? Are we to praise them always and say 'these are the paragons of ministerial virtue ?' If so, they can never be displaced. The whole idea of responsible Government is for the opposition to attack the Government and bring it into hatred and contempt. Parties change, and they are replaced by better and more patriotic men. Now, is this the thing for which the Madras Government stands ? Is this the Government, which in a moment of forgetfulness wrote the Simon Memorandum, that is going to usher in a new era ? They do not understand the elements, the A B C of responsible Government. Otherwise, they would not go about sanctioning prosecutions of this kind.

4-30 p.m.

"Then, Sir, I want to refer to what my hon. Friend from Godavari said with so much feeling and pathos. It is not as if we are asking for mercy. We are fighting to displace this Government. We must pay the price for it. But why don't you play the game like sportsmen ? Let them by all means fight with clean weapons, with honest weapons, with honourable weapons. Let them not hit below the belt. Let them not make sport of one party by manipulating the Penal Code. That is the game which this Government has been playing, and which is stinking in the nostrils of every distinguished politician in this province.

"Then, Sir, I am asking the hon. the Law Member, if he is capable of answering this question, whether this prosecution does any one any good. Does it increase the prestige of the Government ? Sir, if this Madras Government is continually brought into hatred and contempt, it is not by the

7th August 1929] [Mr. S. Satyamurti]

speeches of men like Mr. Annapurnayya but by the performances of men like Mr. Krishnan Nayar, men who ought not to be on the Treasury Bench of any Government, who have no idea of responsible Government, who go about sanctioning prosecutions without knowing what they are doing, without being able to give an intelligent and intelligible answer. Sir, if this Government has been brought into contempt and hatred more by its performances than by the speeches of Mr. Annapurnayya, can there be any more contemptible Government than this, which gives a Law Member of this kind, who does not know what it is to prosecute, who does not know what the Government's duty is in a matter like this?

"Then, Sir, so far as the prestige of the people who are prosecuted is concerned, I am sure you know as every Member knows that to-day the vast number of people in this country, excepting the doubting Thomases, hail as a national hero the man who has been in the jail. He is the man who commands the confidence of the House, of the country, and that shows that when there is real democracy in this country the Treasury Bench will be filled mostly by men who have been in jail sometime or other. To-day, we have got at least four or five such men in the British Cabinet. (A voice: 'Six.') I want to put it to my hon. Friend Mr. Krishnan Nayar that he will be forgotten as an accident in the history of the Madras administration. The names of those people whom he is now prosecuting will be written in letters of gold, and posterity will remember them as the saviours of the country's honour and freedom. I therefore pause to ask my hon. Friend to reconsider his decision Only he does not encourage anybody to support him.

"I have only one word more to say, especially to my hon. Friend, the leader of the European group. Sir, when a great nation has made up its mind to attain its freedom, there is no power on earth, not even Great Britain, to stand in its way. The only question is whether that freedom is to be won by friendly co-operation between Britain and India or in spite of Great Britain. By all means, let the Europeans support this Government. But this Government will go. As friends and colleagues, I appeal to them to look upon us as the future Government of this country. I should tell this to my European friends. Mr. Lloyd George, Mr. President, in the House of Commons, when he was treating with Mr. De Valera, was asked by certain members, 'How dare you treat with a murderer?'. Mr. Lloyd George replied, 'Mr. Speaker, I can only deal with those who can deliver the goods.' I tell the European Members, 'Don't stand in our way. If you will stand by me, we shall stand by you.' So, it is not necessary that my European friends should support this Government in its usual 'chivalrous' action I would ask my European friends again to remember that the seditious people of to-day, as they are called, will be the rulers of India tomorrow.

"With these words, I would ask every hon. Member of this House to support this motion."

* The hon. Sir THOMAS MOIR :—"Mr. President, the debate this afternoon has suffered very much from the necessary limitations which were placed upon it. But perhaps, I might preface my remarks by calling in the attention of the House to the real issue, which we have been discussing. Section 124-A of the Indian Penal Code is to the effect, that 'whoever by words, either spoken or written, or by signs or visible representation or otherwise, brings or attempts to bring into hatred or contempt or incites or attempts to incite

disaffection towards His Majesty or the Government established by law in British India' shall be subject to a certain penalty. Now, several Members opposite have argued that that section should be abolished. That section was not introduced into our penal code merely as an exercise in legislation. It was to meet undoubted evils and abuses, and, unfortunately, we are debarred on the present occasion, or perhaps I should rather say, necessarily debarred from considering on its merits the actual case, which is the subject of this motion. That issue is under consideration by the court, and I will only say that if the decision is adverse to the person concerned, his remedy lies in an appeal to a higher court. We have heard from various members arguments put forward as to why Government should not, either in this case in particular or in all cases in general, have given sanction to the prosecution. To me, it seems that the question is not one of the charming manner of an individual or any such personal consideration. It is whether he has offended against this or that section of the penal code.

"A further question has been raised as to whether the Government have, by their action, taken against this particular individual, manifested a distinct change of policy. The hon. Member for the University twitted my hon. Friend the Law Member with the fact that he only stated certain reasons, and that when he was asked for other reasons he only smiled. (Mr. S. Satyamurti: 'He gave no reasons.') 'He did give certain reasons.' But he was obviously debarred from touching on other reasons by the very limitations of our debate. Otherwise, he would have to refer to and examine in detail the speeches made by Mr. Annapurnayya. Then, the hon. Member for the University also twitted the hon. the Law Member with the fact that he said that he had no policy. Now, this is simply another instance of the utter incapacity of the Member for the University to understand what other men say. What the hon. the Law Member said was that he had no policy in the matter—he was interrupted; he again said he had no policy—and was again interrupted,—he continued to say that there was no policy underlying this prosecution and that each case is examined on its merits. That is exactly the point on which the hon. Members opposite asked for an assurance whether he had examined the case on its merits and whether he had such a policy as they feared, namely, the deliberate intention of using that section of the penal code in order to oppress the party opposite. Some member of that party used a peculiar argument that because certain people have signed the Simon report or are in favour of further reforms they would come under this section. Really, it seemed to me that the argument suggesting that Sir Parasuram Patro brought himself within the mischief of this section, when he expressed the view as the head of a committee of this House, that reforms ought to be introduced in the Government of this country and that the reforms which he suggested should be on such and such lines was puerile. I do not think that Sir Parasuram Patro has any apprehensions. Mr. Wood, speaking on this motion, justifiably asked the House, 'Why is it that other parties are not subject to this section?' The hon. the Leader of the Opposition himself gave the answer. He said and admitted that it is his party owing to its principles and its policy is most likely to be brought within the mischief of the section. Why should we desire to persecute the Opposition party in this way? Every one knows that cases of this kind are most unpopular with the Government itself. Every one knows that we would be glad if we had no occasion to sanction such

7th August 1929] [Sir Thomas Moir]

prosecutions, and I think every one knows that it is only in cases where we feel that our responsibility compels us either to take action or to be guilty of a dereliction of duty, that we do take action. For every case that has come under our consideration and on which action is taken, I assure this House, there have been a dozen on which we have stayed our hands, and with reference to which we have allowed every consideration. If hon. Members opposite suggest we do prosecute where there is the slightest ground for doing so, Heaven knows that our courts would be full. (Hear, hear.) But we do not. We consider the circumstances, and still more we consider the results that are likely to follow (Hear, hear) before sanctioning any prosecution. It is a duty charged upon us. The hon. Members opposite seem to think that when reforms come they will be able to wipe out all these laws from the statute book. May I say that you will have an even more difficult task then than we have? (A voice: Hand it over) And I can see no prospect of your being able to allow indiscriminately any individual to bring into hatred or disaffection the Government that will then exist. 4-45 p.m.

"In this motion, we are under considerable limitations but, on behalf of the Government, I emphatically repudiate any suggestion that in sanctioning the prosecution either of Mr. Annapurnayya or any one else, we have been actuated by motives of prosecuting our political opponents, or attempting to hamper the expression of true political opinion."

Mr. K. Koti Reddi:—"I move that the question be now put."

Mr. Basheer Ahmed Sayeed:—"I second it."

The motion was put and declared lost.

A poll was demanded by Mr. G. Harisarvottama Rao and the House divided thus:

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, R. Srinivasa Ayyangar.
4. ,, Sami Venkatachalam Chetti.
5. ,, S. Satyamurti.
6. ,, C. V. Venkataramana Ayyangar.
7. ,, J. A. Saldanha.
8. ,, G. Harisarvottama Rao.
9. ,, Basheer Ahmed Sayeed Sahib.
10. ,, C. S. Govindaraja Mudaliyar.
11. ,, Abdul Hameed Khan Sahib.
12. ,, L. K. Tulasiram.
13. ,, K. V. R. Swami.
14. ,, D. Narayana Raju.
15. ,, K. R. Karant.
16. ,, K. Madhavan Nayar
17. ,, P. Anjaneyulu.
18. ,, A. Parasurama Rao Pantulu.
19. ,, C. Ramasomayajulu.
20. ,, T. Adinarayana Chettiyar.
21. ,, Ahmed Miran Sahib.
22. Sriman Biswanath Das Mahasayo.
23. Mr. A. Kaleswara Rao.
24. ,, K. Uppi Sahib.
25. ,, M. Narayana Rao.
26. ,, C. N. Muthuranga Mudaliyar.
27. ,, C. Marudavanam Pillai.
28. ,, K. V. Krishnaswami Nayakar.
29. ,, C. Venkatarangam Nayudu
30. ,, B. Venkataratnam.
31. ,, A. Ranganatha Mudaliyar.
32. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
33. The Zamindar of Seithur.
34. Mr. K. P. Raman Menon.
35. ,, R. Nagan Gowda.
36. ,, C. R. Parthasarathi Ayyangar.
37. ,, K. R. Venkatarama Ayyar.
38. ,, P. Siva Rao.
39. ,, C. E. Wood.
40. ,, A. J. Leech.
41. ,, F. E. James.
42. ,, S. N. Dorai Raja.
43. ,, G. R. Premayya.

[7th August 1929

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Hilton Brown.
9. ,, H. A. Watson.
10. ,, A. G. Leach.
11. ,, J. Gray.
12. ,, S. V. Ramamurti.
13. ,, C. B. Cotterell.
14. ,, V. Ch. John.
15. ,, M. A. Manikkavelu Nayakar.
16. Syed Tajudin Sahib Bahadur.
17. Mr. H. B. Ari Gowdar.
18. ,, J. Bheemayya.
19. ,, R. Foulkes.
20. ,, P. J. Gnanavaram Pillai.
21. Mahmud Schamnad Sahib Bahadur.
22. Mr. Muppil Nayar of Kavalappara.
23. The Zamindar of Singampatti.
24. Subadar-Major S. A. Nanjappah Bahadur.
25. Mr. T. M. Narayanaswami Pillai.
26. Mr. K. Krishnan.
27. ,, N. Siva Raj.
28. ,, M. V. Gangadhara Siva.
29. ,, V. I. Muniswami Pillai.
30. ,, W. P. A. Soundara Pandian.
31. ,, Daniel Thomas.
32. ,, S. Arpudaswami Udayar.
33. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.
34. The Maharaja of Pithapuram.
35. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
36. Rao Bahadur Sir A. P. Patro.
37. Diwan Bahadur P. C. Ethirajulu Nayudu.
38. Mr. P. T. Rajan.
39. ,, T. K. Chidambaranatha Mudaliyar.
40. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
41. Kadir Moideen Sahib Bahadur.
42. Diwan Bahadur S. Kumaraswami Reddiyar.
43. Khan Sahib T. M. Moidu Sahib Bahadur.
44. Rao Bahadur K. Sitarama Reddiyar.
45. Rao Bahadur B. Muniswami Nayudu.
46. The Zamindar of Mirzapuram.

Ayes 43. *Noes* 46.

The motion for closure was lost.

* Rao Bahadur Sir A. P. PATRO :—" Sir, I had no desire to take part in this discussion, but I noticed a great deal of heat and excitement which has been infused into this debate by a section of the House. Specially, I was very much taken aback by the extraordinary vehemence, not unusual, which has been exhibited this evening by the hon. Member representing the University. He is a clever advocate, and we know his forensic ability : he can make an argument quite plausible though absolutely unreal and has no case. He is more vehement when he has less argument. In this particular instance, he has been in a very unfortunate position, a position where he knows to be unreal therefore spent all his fury and energy in attacking the Law Member saying that there is no policy of the Government. When there is no case, abuse the opponent is a well known saying. From his speech the only thing one could gather, from his attacks on the Government in this matter of prosecutions, is that he criticised the Government as having no policy. He might have been a little more patient or a little more reasonable. As Sir Thomas Moir pointed out, they are not following a policy of repression, nor do they intend to terrorise any particular political party. That is a clear and definite statement made by Government in answer to what the hon. Member representing Guntur (Mr. Anjaneyulu) had said. If the hon. Member for the University as well as the Mover of the motion are impeaching the conduct of the Government in sanctioning a particular prosecution, it is for them to make out how the Government have erred and place before the House the facts and circumstances which would go against the grant of such sanction, it is for them to make out a case ; and I ask in all seriousness, have they been able to place before the House any convincing facts to show

7th August 1929] [Sir A. P. Patro]

that a case has been made out against Government ? I quite sympathize with the feeling and sentiment that no political party should be prosecuted unnecessarily and unreasonably : it would be a worst form of administration if any political party is persecuted because it is progressive and radical or because the Government policy is not agreeable to the present administration. I stand for the principle, namely, that equal political justice should be meted out to all political parties, and there should be no discrimination whatever in the matter. If I am convinced this moment that this Government is making such discriminations in granting prosecutions, that this Government has followed the policy of political repression, I would be the first person to take up the cudgels against the Government. (Voices : Oh, Oh.)

"I have listened to the very eloquent speeches made this evening, but I have not heard a single argument or allegation to show that there has been any such policy or principle underlying the prosecutions, though it has been suggested that the Government have been actuated by malicious intentions and desires. I regret very much that this motion has been tabled at all this evening while the courts of justice are still considering the matter on its merits. Owing to the restrictions imposed on the motion we are prevented from going into the merits of the case. But when a question was asked whether there is a policy of repression underlying all this, the straightforward reply came that there is no such policy of repression on the part of the Government. Therefore I am unable to support this motion."

Mr. Basheer Ahmed Sayeed :—"I move the question be now put."

Mr. G. Harisarvottama Rao :—"I second it."

The motion was put and carried.

The main motion was then put and declared lost.

Mr. G. Harisarvottama Rao demanded a poll and the House divided thus :—

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, R. Srinivasa Ayyangar.
4. ,, Sami Venkatachallam Chetti.
5. ,, S. Satyamurti.
6. ,, C. V. Venkataramana Ayyangar.
7. ,, J. A. Saldanha.
8. ,, G. Harisarvottama Rao.
9. ,, Basheer Ahmed Sayeed.
10. ,, C. S. Govindaraja Mudaliyar.
11. ,, Abdul Hameed Khan.
12. ,, L. K. Tulasiram.
13. ,, K. V. R. Swami
14. ,, D. Narayana Raju.
15. ,, K. R. Karant.
16. ,, K. Madhavan Nayar.
17. ,, P. Anjaneyulu.
18. ,, A. Parasurama Rao Pantulu.
19. ,, C. Ramasomayajulu.
20. Mr. T. Adinarayana Chettiyar.
21. ,, Ahmed Meeran Sahib.
22. Sriman Biswanath Das Mahasayo.
23. Mr. A. Kaleswara Rao.
24. ,, K. Uppi Sahib.
25. ,, M. Narayana Rao.
26. ,, C. N. Muthuranga Mudaliyar.
27. ,, C. Marudavanam Pillai.
28. ,, K. V. Krishnaswami Nayakar.
29. ,, C. Venkatrangam Nayudu.
30. ,, B. Venkatratnam.
31. ,, A. Ranganatha Mudaliyar.
32. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
33. The Zamindar of Seithur.
34. Mr. K. P. Raman Menon.
35. ,, R. Nagan Gowda.
36. ,, C. R. Parthasarathy Ayyangar.
37. ,, T. R. Venkatarama Ayyar.
38. ,, P. Siva Rao.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, M. R. Seturatnam Ayyar.
6. ,, S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Hilton Brown.
9. ,, H. A. Watson.
10. ,, A. G. Leach.
11. ,, J. Grey.
12. ,, S. V. Ramamurti.
13. ,, C. B. Cotterell.
14. ,, V. Ch. John.
15. ,, M. A. Manikkavelu Nayakar.
16. Syed Tajudin Sahib Bahadur.
17. Mr. J. Bheemayya.
18. ,, R. Foulkes.
19. ,, P. J. Gnanavaram Pillai.
20. Muhammad Schamnad Sahib Bahadur.
21. Mr. Muppil Nayar of Kavalappara.
22. The Zamindar of Singampatti.
23. Subadar-Major S. A. Nanjappah Bahadur.
24. Mr. T. M Narayanaswami Pillai.
25. Mr. K. Krishnan.
26. ,, N. Siva Raj.
27. ,, V. I. Muniswami Pillai.
28. ,, W. P. A. Soundarapandian.
29. ,, S. Subrahmanya Moopanar.
30. ,, Daniel Thomas.
31. ,, C. E. Wood.
32. ,, A. J. Leech.
33. ,, S. N. Dorai Raja.
34. ,, S. Arpudaswami Udayar.
35. Khan Bahadur P. Khalifulla Sahib Bahadur.
36. Mr. G. R. Premayya.
37. The Maharaja of Pithapuram.
38. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
39. Rao Bahadur Sir A. P. Patro.
40. Mr. P. T. Rajan.
41. ,, T. K. Chidambaranatha Mudaliyar.
42. Abdul Razack Sahib Bahadur.
43. Khadir Mohidin Sahib Bahadur.
44. Diwan Bahadur S. Kumaraswami Reddiyar.
45. Khan Sahib T. M. Moidoo Sahib Bahadur.
46. Rao Bahadur K. Sitarama Reddiyar.
47. The Zamindar of Mirzapuram.

Neutral.

1. Mr. S. Venkiah.
2. Rai Sahib M. Hampayya.
3. Diwan Bahadur P. Kesava Pillai.
4. Rao Bahadur B. Muniswami Nayudu.
5. Diwan Bahadur P. C. Ethirajulu Nayudu.

Ayes 38. *Noes* 47. *Neutral* 5.

The motion was negatived.

The House then adjourned to meet again at 11 a.m. the next day.

IX

PAPERS LAID ON THE TABLE OF THE HOUSE.

(1) *Copy of the report regarding the annual income from the Narasapur-Razole Ferry from* 1896 *to* 1927 (*vide answer to question No.* 1628 *answered on* 2*nd March* 1929).[a]

(2) *Copy of the report from the Director of Industries regarding the production of cotton yarn and cloth in the Presidency* (*vide answer to supplementary questions to question No.* 1209 *answered on* 31*st January* 1929).[b]

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

[a] Printed as Appendix VIII on page 243 infra. [b] Printed as Appendix IX on page 244 infra.